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8 California Department of Forestry and Fire Protection

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9 IN THE UNITED STATES DISTRICT COURT
10 FOR THE NORTHERN DIVISION DISTRICT OF CALIFORNIA

11 SAN JOSE DIVISION RMW

12 EDWARD A. AMESCUA,

Case No.: C05-02182 PVT

13 Plaintiff

14 v.

**STIPULATED REQUEST TO CONTINUE
CASE MANAGEMENT CONFERENCE**

15 STATE OF CALIFORNIA, CALIFORNIA
16 DEPARTMENT OF FORESTRY AND FIRE
PROTECTION, and DOES 1 THROUGH 20,
inclusive,

Civil L. R. 6-2, 7-12

17 Defendants

18
19 Plaintiff and Defendants hereby stipulate to a continuance of the September 30, 2005,
20 2005 case management conference and declare as follows the "good cause" supporting this
21 continuance:

22 1. The undersigned counsel are attorneys admitted to practice before the court and
23 serve as counsel for the parties indicated below.

24 2. The parties have met and conferred and have come to an agreement on an ADR
25 process. The parties briefly met and conferred on other subjects, including discovery. The
26 parties anticipate being able to work out any discovery issues on their own. The parties
27 anticipate filing a joint case management prior to the case management conference.

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1 3. Neither party has requested a prior continuance for the case management
2 conference or for any other reason. As the purpose of the case management conference is to
3 establish a schedule for resolving this civil action, the continuance should have no impact on the
4 ultimate schedule ordered by this Court.

5 4. The parties stipulate that the case management conference presently calendared
6 for September 30, 2005 shall be continued to October 28, 2005 so long as this date comports
7 with the Court's calendaring needs. This stipulated request is made on the grounds that counsel
8 for defendant has recently been brought in to assist on a trial set for November 1, 2005. The
9 motion for summary judgment is currently set for September 30, 2005, and counsel for defendant
10 would like to attend and assist at that hearing.

11 5. The parties further recognize that in setting the September 30, 2005 case
12 management conference hearing date, this Court's order required the parties to complete initial
13 disclosures, file a case management statement and file a Rule 26(f) report on September 23,
14 2005. The parties stipulate that continuing the case management conference to October 28, 2005
15 will also continue these duties to October 28, 2005. (jg)

16 6. The undersigned counsel swear under penalty of perjury that the foregoing is true
17 and correct and based on their personal knowledge, except that which is based upon information
18 and belief to which counsel states their belief, that counsel are competent to testify as witnesses
19 to these statements, and that counsel would so testify if called as witnesses. Counsel further
20 attest to jointly having on file all holographic signatures indicated by conformed signatures
21 below.

22 Executed on this September 12, 2005 in Modesto, California.

23
24 */s/ Mark J. Alexander*


25 Mark Alexander
26 Counsel for Plaintiff Edward Amescua
27
28

SEP-22-2005 14:40

P.04

1 Dated: September 21, 2005

BILL LOCKYER, Attorney General
of the State of California
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5 
6 Christopher C. Lamerdin
CHRISTOPHER C. LAMERDIN
Deputy Attorney General
Attorneys for Defendants
California Department of Forestry and Fire
Protection

9 IT IS SO ORDERED:

11 Dated: 9/29/05

12 /s/ Ronald M. Whyte
13 THE HONORABLE RONALD M. WHYTE
United States District Court Judge